



*Martin O'Malley, Governor*  
*John R. Griffin, Secretary*

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**TO: Sport Fisheries Advisory Commission**  
**FROM: Tom O'Connell, Director, Fisheries Service**  
**DATE: October 9, 2012**  
**SUBJECT: Response to SFAC Chairman Gracie's Information Request**

SFAC Chairman Jim Gracie requested a list of projects Fisheries Service is currently working on in response to criticism by some SFAC members that Fisheries Service has not adequately responded to certain SFAC requests. In response to the Chairman's request, the following is provided:

- 1) Summary of tasks that Fisheries Service's Director, Deputy Directors and Division Managers are currently focused on. This is not a complete list but rather a snap shot of work load among Senior Fisheries Service staff. It should be noted that Senior Fisheries Service staff spend about 50% of their day responding to requests and tasks from DNR leadership, state legislators, constituents and staff that require timely attention. As you review this list, I ask that you pay attention to the number of 'new' initiatives being undertaken, and consider the associated level of complexity and controversy with each project.
- 2) Several recent examples of Fisheries Service weekly activity reports that staff prepare for the Director and Deputy Directors, and DNR Leadership. Again, this is not a complete list but does provide a great example of the diversity of projects that Fisheries Service staff is performing.

In an effort to address SFAC concerns, I have asked Chairman Gracie for SFAC to specifically identify those SFAC requests that members believe Fisheries Service have not adequately responded to, and if these concerns are from a single, minority or majority of SFAC members.

In closing, it is important to remember the role of the SFAC – that being an 'advisory' body. While we strive to reach agreement with our fisheries advisory bodies on tasks and deliverable timelines requested, the Department and Fisheries Service ultimately determines which tasks we undertake and the timeframes to perform them under. These decisions consider the priorities and our responsibility to maintain primary focus on mission critical activities.

## **Director and Deputy Directors**

**FY12 Budget Closeout**

**FY13 Budget Containment Exercise for Department**

**FY14 Budget Preparation, including re-alignment with Fisheries organization**

**Fisheries Reorganization Package and Implementation**

**DNR Budget Functional Analysis** – Completed for Fisheries Service.

**\*\*Note** – Divisions managers also spent considerable time on the above listed budget tasks.

**HB1372 Cost Recovery Summer Study** – Complete analysis, held meetings on weekly / bi-weekly basis throughout summer.

**2013 Legislative Priorities** – Identify, and develop proposals

**Regulations** - Review regulatory proposals, and plan for upcoming submissions with impending deadlines.

**Member of ASMFC Search Committee for new Executive Director** – Prepared job position, announcement and interview questions, and participated in candidate interviews.

**ASMFC** – Summer and annual meeting weeks.

**ASMFC Atlantic Menhaden Amendment #2** – Active participation on development of management measures to achieve new reference points, industry meetings, public hearings.

**ASMFC Striped Bass Addendum III** – Chaired ASMFC Striped Bass Board, working with state and federal law enforcement and state fishery managers to get approved.

### **Licensing Issues:**

- Calls from recreational anglers with questions of license type to buy;
- Draft letters to commercial watermen regarding HB 1372 changes;
- Handle issues about commercial license assignment on vessel;
- Multiple meetings with Licensing Unit and regional managers to enable implementation of HB 1372 with the COIN system.
- Respond to legislators and recreational anglers regard SS# requirement with license sales.

**Federal Fisheries Funding** – Involved with ASMFC working with Congress to restore funding.

**Blue Crab Male Reference Points** – Chair Chesapeake Bay Stock Assessment Committee and lead discussion, analysis and recommendations for MD, VA and PRFC policy decision.

**Blue Crab Allocation** – Meeting with VMRC and PRFC regarding establishing allocations among Bay jurisdictions.

**Potomac River Fisheries Commission** – Summer and fall meeting, and co-chair of PRFC Oyster Blue Ribbon Panel.

**Striped Bass Hail-in/ out Project** – Prepare request for proposals in coordination with IT and DOIT.

**Gill Net Study Report** – Requested by Senator Klausmier to understand DNR's position in response to 2012 bill to ban gill nets in Maryland.

**Striped Bass Open Houses on Alternative Commercial Management** – Direct staff, review material, attend open houses.

**Chesapeake Bay Program Fisheries Goal Implementation Team** – Serve as Vice-Chair, coordinate agenda development, meetings strategic initiatives and implement action items.

**UMCES / ORP Oyster Hatchery Funding Issues**

**NRP Work Force Summer Study**

**Aquaculture Size Limit** – DNR leadership discussions and field trip with NRP.

**SFAC Budget Report** – Prepare data and charts, and review document

**Bloede Dam** – Co-lead with Parks. Review materials for Open House, public comments and Departmental response. Meetings with DNR Team, American Rivers, NOAA, and design consultant.

**IT and COMPASS Development Meetings**

**Managing for Results (MFRs)** – Meeting with DBM to modify MFRs in an effort to simplify the process and improve accounting of results

**Joint MD / WV Enforcement in North Branch Potomac River** – Meetings with MD DNR NRP and Attorney General's Office, and WV Fisheries Chief, Law Enforcement and Attorney Review to develop joint law enforcement strategy.

**Oyster Gardening** - Meetings and policy review of FDA concerns with oyster gardening, mandatory registration of sites, and NRP enforcement patrols.

**Administrative** – Lead, direct and manage a staff of 160 employees. Implement Fisheries reorganization, develop plan for vacancies and pending retirements.

**DNR Leadership Meetings** – Weekly Unit Director's meeting, monthly IT / Licensing meetings, leadership meetings, monthly Executive meetings and bi-weekly Fisheries Mgt Team meetings.

**Human Burial Reef Ball Policy** – Development and constituent communications

**Federal Blue Crab Fishery Disaster Grant** – Grant management, including grant modifications, and coordinated multi-day site visit of NOAA grant managers to learn about funded projects.

**Communications and Outreach Division**

**Budget** – Completed Unit cost recovery and budget exercises as other Divisions. FY14 preparation included creating new level 3 budgets to align organizational structure with budget.

**MD Fishing Challenge** – 2012 completion and 2013 initiation.

**2013 MD Sport Fishing Guide** – Working since spring with DNR and DGS procurement to award bid for publishing 2013 guide in new format. Worked with Licensing to align number of copies published with license sales to eliminate waste. Extensive review of 2012 guide completed. Developing, editing and layout in progress and will continue through end of calendar year. 2013 guide will be significantly more user friendly but will require continued attention to publish by January due to protracted bid process.

**FY2011 and FY2012 SFAC Budget Report** – Developed format for budget reporting and completed 2 budget reports. Will be working over the next few months to identify a format which better integrates budget reporting with priorities and performance measures.

**Fishery Advisory Commissions / Committees** – SFAC, TFAC, ARC. Provided oversight to assure that Fisheries adheres to schedules for distributing materials and posting information to website. Developed handout on process for opening new MD Fishing Challenge eligible species and state record recognition.

**Outreach** – Worked with Division Managers to develop Constant Contact e-mail subscription list and distribute to their various existing e-mail lists. We now have 400 subscribers. Work over the coming months will be focused on increasing awareness and participation of this service. Began evaluation of foreign language outreach. Will be working over the coming months to develop Spanish language translation of fishing application, the Sport Fishing Guide and content posted on web and via e-mail subscribers list and social media. Reviewed and edited 11 articles for Coastal Fisherman. Coordinated staff development and submission of extensive content for new Maryland Loves Crabs annual.

### **Policy and Planning Division**

**Legislation** – Implementation of 5 bills from 2012 legislation, and development of fisheries legislative proposals for 2013.

**Regulations** – Oversight of 20 separate regulations so far in 2012.

**Public Notices** – Issued 40 public notices so far in 2012.

**Fisheries Penalty System** – Lead and coordinate penalty system implementation with the Office of Attorney General and Natural Resources Police.

- Proposed over 100 recreational license suspensions
- Proposed about 10 commercial license suspensions
- Processed all hearing requests for suspensions in coordination with the OAG (approximately 60)
- Tracked several hundred fishing citations related to possible suspensions

**Customer Service** – Responding to daily information requests and questions regarding fisheries policy and planning. Providing specific constituent information as requested on a case-by-case basis.

**Fishery Management Plans** – Prepared Amendment to Blue Crab FMP, creating a new Chesapeake Bay Clam FMP, and completing annual FMP reviews.

**Fish Passage** – Co-lead on Bloede Dam fish passage project.

**DNR-wide Habitat Matrix Team** – Creating this new team to coordinate and provide consistent advice on habitat/conservation issues.

**DNR Invasive Species Matrix Team** – Active member currently involved with blue and flathead catfish, zebra mussels, didymo, and snakeheads.

### **Estuarine and Marine Fisheries Division**

**Atlantic States Fisheries Marine Fisheries Commission** - Advise Director of Fisheries and other Maryland representatives on management actions under consideration by the Commission. This includes Menhaden, Black Sea Bass, Summer Flounder, Striped Bass, Horseshoe Crabs, Spiny Dogfish, American Lobster, Scup, Spanish Mackerel, Weakfish, Bluefish, etc.

**Mid-Atlantic Fisheries Management Council (Maryland State Representative) -**

Actively working on 5 Council committees that make policy recommendations to NMFS on allocations, quota setting, recreational / commercial management measures, etc. The Council convenes for 4 days every other month. There is always an enormous amount of preparation material.

**Oversight / Supervision:** Supervision of 6 Programs and more than 70 employees.

**Commercial Industry Striped Bass Workgroup** - Coordinating the development of an alternative management strategy with Industry representatives. Just held 4 Open Houses with 60+ slides of presentation materials on a highly controversial issue (Individual Quotas).

**ASMFC Striped Bass Addendum II** – Implementation of tag reduction plan.

**Chesapeake Bay Striped Bass 2013 Quota Determination** – Bay lead on analysis for determining MD, VA and PRFC quota.

**Pound Net White Paper and Evaluation of Regulatory Actions**

**Conowingo Dam FERC Re-licensing** – Co-lead in DNR

**Spiny Dogfish Coastal Committee** – New industry committee to explore alternative management

**Licensing** – Coordination with DNR IT and Licensing on COIN/COMPASS transition.

**Horseshoe Crab Management** – Responding to shorebird advocacy requests for closure of MD's horseshoe crab fishery.

**Crab Scraping Evaluation** – Responding to public concerns regarding crab scraping.

**Coastal Fisheries Advisory Committee Meetings**

**Striped Bass and Blue Crab Industry Workgroup Meetings**

**Implementation Commercial Harvest Tag Recovery Program** - Development of mechanism for striped bass commercial fishermen to purchase tags during the 2013 fishing season.

**Inland Fisheries Division**

**FY14 Budget** – Prepared with significant re-alignment of funded Objects within Inlands 4 operation budgets to more correctly identify recurring annual expenses and align them with the appropriate funding source. FY12 expenditures were reviewed for this task and in order to identify potential reductions.

**Other Budget tasks** included developing information for the **SFAC requested Budget Alignment** report and an internal requested **DNR/Fisheries Functions Matrix** which partitioned staff time and budget line items across an extensive list of Dept. functions and sub-functions.

**Federal Aid Grant Renewal Agreement and Reporting Requirements** – Grant agreements were developed for F48 and F53 Sportfish Restoration Grants. These grants are the major funding source for Inland programs. Annual agreements include listing those Jobs which will be active within the coming fiscal year. Describing and determining the eligibility of new jobs for grant funding. Estimating a budget for grant line items and reimbursable staff time.

Review and edit of annual Federal Aid reports will begin in November. Reporting includes summary and analysis of survey and performance data. Assessments of

management strategy, regulations, stocking policy, habitat health, and data adequacy in relation to population status are made at this time.

An informal ecosystem based **review of the health of the non-tidal Potomac River** was initiated in cooperation with Resource Assessment Service earlier this year. This multifaceted review will include trends in fish populations and fishing, benthic communities, water quality, and habitat with a focus on the Montgomery, Frederick and Washington County reaches. Anglers and staff biologists have recognized annual periods of significant algal blooms. Several recent years saw conditions reach nuisance levels. In addition anglers have reported periods of exceptionally poor fishing success. Staff are assembling trend and status data from current monitoring programs as well as mining old reports and documents and interviewing guides and dedicated long time anglers on the river. What are the short and long term trends on this portion of the river? Do water quality, or prolific algal and SAV growth impact fish or benthic communities? fishing? Can we identify and mitigate what is contributing to nuisance blooms?

**Brownsville Pond Fisheries Management Area** – emergency draining was performed due to excessive erosion at the foot the dam. Use as back up water supply by Washington Co. Division of Emergency Services necessitated a dry hydrant retrofit and infrastructure modifications to partially rewater the pond until permanent fixes can be made. These efforts required extensive coordination with county officials and representatives and outreach to concerned public.

**Siting of new ATV trails** - Multiple sites were reviewed for establishing ATV trails. Potential impacts to wild trout resources in several cases required site visits, meetings and documentation of Fisheries concerns.

**Casselman River Trout Management/Hellbender Interaction Issue**-Fisheries is coordinating with Wildlife and Heritage Division to develop a stocking policy which is consistent with protection of endangered hellbenders. Current research on status and trends regionally and predator/hellbender interactions were reviewed. A joint Division position statement was prepared for the Administration. It was recommended that the effort be revisited after hellbender surveys are completed this summer. A final position statement may be drafted latter this year.

**Reporting and Administrative Tasks** – review and edit of Weekly reports, monthly reports, SFAC updates, time cards, procurement and procurement reporting, internal MOUs,

**Anglers Guide** – extensive edit and review for new format

**Brook Trout Management** – Respond to public and legislative inquiries.

### **Shellfish Division**

**Harris Creek Sanctuary Plan** – Develop and implement restoration plan in coordination with NOAA Chesapeake Bay Office, US Army Corps of Engineers and project partners.

**Oyster Bar Rehabilitation Program** – Coordinate shell reclamation program for sanctuaries, aquaculture and public fishery areas.

**St. Mary's Leasing Criteria** – Design and implement oyster bar habitat and population survey of all bars within St. Mary's sanctuary; analyze data, develop criteria that allows leasing that is compatible with oyster restoration, and develop regulatory proposal.

**State Capital Funding** – Develop and implement plan to expend \$7.5 million sanctuary restoration plan and \$500,000 aquaculture financing program. Develop FY13 State capital fund proposal, and present and respond to DBM.

**Sanctuary Monitoring Program** – Develop and implement.

**Public Fishery FMP and Biological Reference Points** - Development

**Restoration Permitting Issues** – US Army Corps of Engineers, USCG and NOAA

**Oyster Advisory Commission** – Summer and fall meetings

**County Oyster Committees** – Meetings of 12 County Committees

**Hydraulic Clam Dredging Evaluation** – Responding to public concerns regarding crab scraping.

**Hatchery Seed Plantings** – Direct, and coordinate with UMCES and ORP, and other project partners.

### **Hatcheries Division**

**Atlantic Sturgeon Listing** – DNR action regarding NMFS ESA listing of Atlantic sturgeon-impacts to programs, fisheries, cooperators and constituents

- Section 6 action-addition of Atlantic sturgeon to agreement
- Section 10 action-development of Habitat Conservation Plan, Section 10 (a)(1)(a) permits for research and Section 10 (a)(1)(b) permits for incidental take
- Management of Atlantic sturgeon captive brood stock program since ESA listing
- ASMFC action for stock assessment
- ASMFC action for downlisting/delisting
- DNR action on CITES/NMFS import of Canadian Atlantic sturgeon
- Coordination with VMRC on impacts of listing
- Coordination with cooperative partner GenOn energy on impacts of listing
- Coordination with cooperative partner University of Maryland Center for Environmental Sciences on impacts of listing

**SFAC / TFAC Requests** - Worked on several actions to support SFAC/TFAC requests (priorities, cost recovery, use of task force funds etc.)

**PRFC Oyster Reserve Program** - Coordination for producing hatchery oyster seed for new PRFC oyster co-op harvest reserve program

**Biosecurity** - Management of Fisheries Service fish health and biosecurity policies for state facilities

**Fish Health Importation Guidelines** - Development of fish health import guidelines for aquatic species and baitfish

**New Fish Culture Cooperative** - Development of new fish culture cooperative with Mettiki Coal LLC.

**Federal Aid Proposal** - Development and submittal of multi-agency federal aid proposal to monitor Chesapeake Bay sturgeon movements and stocks

**Personnel** – Prepared and submitted vacancy fill requests and managed recruitment for several long-term contractual and classified positions

**Hatchery Renovation for Shad and Herring** - Managed MPA grant to support funding for hatchery renovation and Patapsco River shad and herring restoration project

**Federal Project Management** - Oversee two W-B federal aid projects for fish restoration and enhancement

**Section 6 Report** - Prepare annual Section 6 report for NMFS agreement

**State Hatchery Oyster Program** - Coordinate state-related oyster culture activities between Fisheries Service, ORP and Horn Point

**Maryland Fishing Guide – involved in review / edit process**

**FEMA Damage** - Manage FEMA process for storm damage to state hatchery facilities

**Fish Health Contract** - Initiate and manage fish health contract with USFWS Northeast Fishery Center

**Fish Purchases** - Initiate and manage fish purchase MOU with the Conservation Fund's Freshwater Institute

**Hatchery Fish Requests** - Managed multiple requests for hatchery fish from research institutions, educators and outreach professionals

**Eastern Hellbender Project** - Development of cooperative project to culture Eastern hellbenders

**Piney Point Aquaculture Facility Use Agreement** - Developed facility use agreement to permit Piney Point Aquaculture Center to support industry

**Invasive Species Control** - Coordinated with University of Maryland Sea Grant to attempt to mitigate invasive *Hydroticlyon* infestations at state hatcheries

**Section 7 ESA Species Interaction** - Collected and presented unit-wide ESA species interaction information regarding USFWS Programmatic Section 7 Consultation for Marine Fisheries Research and Surveys

**Animal Drug Report** - Prepared and submitted annual report on state hatchery production activities to USFWS Aquatic Animal Drug Approval Partnership to support drug approvals for aquatic species

**NAFWA Meeting** - Attended Northeast Association of Fish & Wildlife Administrators Fish Health and Fish Culture Chiefs meetings

**Managing For Results** - Submitted Managing For Results material

**Performance Evaluation Plans** - Prepared and submitted PEP forms

**Administrative** - Worked on dozens of contracts, emergency requisitions and purchase orders to support hatchery activities. Recurrent preparation and submittal of timecards and corporate credit cards and review/approval of those submitted by direct reports.

**Customer Service** - Recurrent response to customer service requests. Contributed to ICPRB article on Atlantic sturgeon restoration in the Potomac River

**Database Management** - Development of production and stocking databases for all hatchery facilities

### **Cooperative Fisheries Management Investigations and Fish Health**

**Blue Crab Accountability Pilot** – oversight in planning and contract management

**NMFS Grant Management** - reports & proposals

**MSC Striped Bass Sustainable Certification**

**Administrative** - Recruitment issues re: staffing 2012 oyster health survey Menhaden allocation

**Public Information Act Requests** – Prepare response

**Lab Planning** - with NOS re: fish health microbiology lab, physical plant, & pier w/ USCG

**Chesapeake Atlas with NOS**



## **Marine Spatial Planning**

**RV Laidly fire investigation** - continuing with NOAA

**Harbor Porpoise** - Preparation for upcoming NOAA harbor porpoise TRT meeting

**NMFS Section 6 Request** - to add Atlantic sturgeon and loggerhead NW Atlantic DPS

**Customer Service** - Everyday miscellaneous constituent calls/emails/letters requesting information and preparing responses

## **Aquaculture Division**

**Coordinating Council and Review Board** - Directing operations of the Maryland Aquaculture Coordinating Council and Aquaculture Review Board, including drafting of the Council's annual report and working with the Board members in review of over 30 shellfish aquaculture lease applications. Council meets bi-monthly, Board meets monthly.

**Legislative and Regulatory Development** - related to Shellfish Nursery Permits, aquaculture size limits, Shellfish Aquaculture Harvester Permits, shellfish lease usage requirements, Demonstration Leases and leasing in sanctuaries.

**Public Protests** - Managing public protests received in response to 3 Commercial Shellfish Aquaculture Lease applications. This includes preparing informational materials for contested case hearings with OAH.

**Oyster Relay** - Developing oyster relay policies and procedures for Maryland growers that assist their operations and comply with the requirements of the National Shellfish Sanitation Program's (NSSP) Model Ordinance.

**Policy** - Coordinating interagency shellfish aquaculture policy development between DNR, MDE, DHMH and USACE related to leasing and permitting activities and aquaculture business operations by serving on workgroups and in frequently scheduled meetings.

**Oyster Gardening** - Developing an oyster gardening registration process that complies with the requirements established in the NSSP and serves as a way to identify all individuals engaged in non-commercial shellfish gardening activities.

**CCMP plan revision** - Updating the Coastal Bays Program Comprehensive Conservation & Management Plan (CCMP) to include pertinent information on shellfish aquaculture.

**Customer Service** - Responding to direct requests for information from aquaculture applicants, leaseholders, elected officials and State/Federal agency personnel.

**Aquaculture Minimum Size Limit** – Emergency regulations, and meetings with ACC and NRP to explore issues and potential solutions to allow <3” size limit during public oyster fishery season.

## **Fisheries Marketing Division**

**Seafood Marketing Advisory Commission** – Summer and fall meetings

**Chef Education Trips** – to highlight and enhance the usage of Maryland seafood

**Website** - development and implementation ([www.MarylandSeafood.org](http://www.MarylandSeafood.org))

**True Blue (Crab) Certification Program** - Development and implementation  
**From the Bay, For the Bay Dine Out** – Coordinated 2<sup>nd</sup> annual event  
**Mermaid's Kiss Event** – Partnered with ORP, and helped coordinate  
**Public education and outreach** – For example, seafood festival, waterman's festivals.  
**Charter and Sport Fish Marketing** – Initiated new effort in partnership with the Office of Tourism and MD Legislative Sportsmen Foundation.